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7 THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF  
8 WASHINGTON AT SEATTLE

9 COASTAL TRANSPORTATION, INC., a  
10 Washington corporation,  
11  
12 Plaintiff,  
13  
14 vs.  
15 EAST WEST SEAFOODS L.L.C., a Washington  
16 limited liability company,  
17 Defendant.

Case No.:

**COMPLAINT**

13 Plaintiff Coastal Transportation, Inc., alleges as follows:

14 **I. PARTIES**

15 1.1 Plaintiff Coastal Transportation, Inc., (“Coastal”) is a Washington corporation  
16 with a business address of 4025 13<sup>th</sup> Avenue West, Seattle, King County, Washington.

17 1.2 Defendant East West Seafoods L.L.C. (“EWS”) is a Washington limited liability  
18 company with business address of 1900 W Nickerson, STE 116-53, Seattle, WA 98119.

19 **II. JURISDICTION AND VENUE**

20 2.1 This Court has jurisdiction over this matter under 28 U.S.C. § 1333, Admiralty.  
21 This is an admiralty or maritime claim within the meaning of Rule 9(h), Fed. R. Civ. P.

22 2.2 Venue is proper in this Court under Section 28 of the Terms and Conditions of  
23 Coastal’s Bill of Lading, incorporated into the agreement between the parties, providing that any  
24

1 suit shall be filed only in the United States District Court for the Western District of Washington.

2 **III. FACTS**

3 3.1 Plaintiff Coastal is a marine transportation and logistics company located in King  
4 County, Washington. As part of its operations, Coastal ships cargo for various customers,  
5 including Defendant EWS.

6 3.2 Coastal shipped cargo for EWS on various dates during the year 2017. Coastal  
7 invoiced EWS for these services on six occasions between April 19, 2017 and May 19, 2017  
8 (collectively, the "Invoices"). A true and correct copy of these invoices are attached hereto as  
9 Exhibits 1-6.

10 3.3 Pursuant to the terms of each invoice, all amounts are due upon receipt.

11 3.4 Per Part I, Item No. 6.G of Coastal's Tariff, made a part of and incorporated into  
12 every invoice, "Interest at the rate of one and one half percent (1.5%) per month shall accrue on  
13 all undisputed freight and charges from thirty (30) days past due until paid in full. Interest shall  
14 be simple, not compound." The interest due as of October 20, 2017 is \$1,442.51 and continues  
15 to accrue at the daily rate of \$10.04.

16 3.5 As of May 19, 2017, the date of Coastal's final invoice to EWS, EWS owed a  
17 total outstanding principal balance of \$20,366.04.

18 3.6 EWS has failed to pay the \$20,366.04 principal balance now due and owing under  
19 the Invoices.

20 **IV. CAUSE OF ACTION— FAILURE TO PAY FOR FREIGHT SERVICES**

21 4.1 Plaintiff realleges the foregoing as if fully set forth.

22 4.2 Defendant EWS ordered services from Coastal for shipment of cargo, which  
23 Coastal timely performed. Pursuant to Coastal's full performance of its obligations, Defendant  
24

1 EWS is contractually obligated to pay Coastal the final principal balance due and owing under  
2 the Invoices of \$20,366.04, plus interest on each invoiced amount from the date 30 days after  
3 such invoice was due.

4 4.3 Defendant EWS has paid only \$15,000 of Invoice #IN018438 dated April 19,  
5 2017, and has not paid the remainder due and owing under Invoice #IN018438 or any of the  
6 remaining Invoices.

7 4.4 By failing to make full payment of the total amounts due and owing under the  
8 Invoices, Defendant EWS is liable to Coastal for failing to pay all amounts owed in the principal  
9 sum of \$20,366.04 plus interest on each invoiced amount from the date 30 days after such  
10 invoice was due.

11 4.5 Part I, Item No. 6.J of Coastal's Tariff provides that Coastal is entitled to recover  
12 from EWS "all legal fees and costs incurred with respect to the exercise of [Coastal's] rights  
13 and remedies to collect freight and charges on the [product shipped]."

#### 14 **V. ACCOUNT STATED**

15 5.1 Plaintiff realleges the foregoing as if fully set forth.

16 5.2 Coastal rendered a series of writings evidencing a total balance on Defendant  
17 EWS's account to Defendant in the form of the Invoices.

18 5.3 Defendant EWS acquiesced to the written accounts by failing to object to the  
19 correctness of any of the Invoices within a reasonable amount of time.

20 5.4 By failing to object to the Invoices, Defendant EWS is liable to Coastal for  
21 account stated in the amount of \$20,366.04 plus interest on each invoiced amount from the date  
22 30 days after such invoice was due.

#### 23 **VI. REQUEST FOR RELIEF**

24

1 WHEREFORE, Plaintiff seeks and respectfully requests the following relief:

2 1. For judgment against defendant East West Seafoods L.L.C. and in favor of  
3 plaintiff Coastal Transportation, Inc., for failure to pay for freight services, and account stated;

4 2. For an award of damages in an amount not less than \$20,366.04 plus additional  
5 interest accruing on each invoiced amount from the date 30 days after such invoice was due, in  
6 the amount of \$1,442.51 and \$10.04 for each day after October 20, 2017, as well as other damages  
7 this Court deems appropriate;

8 3. For attorney fees of \$1,000 subject to adjustment if the claims are contested;

9 4. For other such relief in law or equity as the Court deems just and proper.  
10

11 DATED this 20<sup>th</sup> day of October, 2017.

12 HOLMES WEDDLE & BARCOTT  
13 Attorneys for plaintiff Coastal Transportation, Inc.

14 s/ John E. Casperson

15 John E. Casperson, WSBA No. 14292  
16 Eric Siebert, WSBA No. 49994  
17 999 Third Avenue, Suite 2600  
18 Seattle, WA 98104-4011  
19 Fax: 206-340-0289  
20 Email: esiebert@hwb-law.com  
21 jcasperson@hwb-law.com  
22  
23  
24



Invoice No. IN018161  
 Invoice Date: 4/19/2017  
 Coastal Standard 10 S

**Total Due: 354.13<sup>USD</sup>**  
 Due On Receipt

**Bill To:**

C4082  
 EAST WEST SEAFOODS LLC  
 CHRIS TSABOURIS  
 1900 W NICKERSON  
 STE 16-175  
 SEATTLE, WA 98119

**Inquiries:**

Rate: Traffic Dept - traffic@coastaltransportation.com  
 Payment: Acctg Dept - billing@coastaltransportation.com

**Electronic Remittance:**

Routing (ABA): 125000024  
 Account No.: 000001095314  
 Please email remittance to: accounting@coastaltransportation.com

**Invoice Summary:**

Coastal Standard 10 S | Departure: 2/17/2017 .. Arrival: 3/13/2017

Booking/ B/L No.	Equipment No.	Seal No.	Cust. PO No.	Total Gross WT.	Total Charges
BK004565				1,470 Lbs	334.13

**Invoice Detail:**

<u>Loading</u>	<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>			
DUTCH HARBOR - COASTAL	SEATTLE - COASTAL	BK004565					
<u>Consignee:</u> EAST WEST SEAFOODS		<u>Shipper:</u> EAST WEST SEAFOODS LLC					
QTY	Description	Weight	Rate	Quantity	TLI	Rate	Amount
1	EACH MT AMMONIA TANK (375-05)	1,470	375.00	Gallons	1607-00-0002	0.66 /G	247.50
	FUEL SURCHARGE				FSC	20.00 %	49.50
	WHARFAGE: DUTC-CTI				WH		37.13
						BL Total	\$334.13

**Comments:**

PORT SECURITY FEE 20.00  
**Subtotal: \$354.13**  
 Sales Tax: 0.00  
**Total Due: \$354.13**

Thank you for shipping with Coastal. We appreciate your business.

Please remit payment to:  
 Coastal Transportation, Inc.  
 4025 13th Avenue West  
 Seattle, WA 98119

Please note: Subject to the terms and condition set forth on Bill of Lading, Tariff, and/or Mate Receipt, as applicable. Past due accounts will be charged 1.5% finance charge per tariff and may result in account suspension.



Invoice No. IN018162  
Invoice Date: 4/19/2017  
Coastal Standard 10

**Total Due: 868.00<sup>USD</sup>**  
Due On Receipt

**Bill To:**

C4082  
EAST WEST SEAFOODS LLC  
CHRIS TSABOURIS  
1900 W NICKERSON  
STE 16-175  
SEATTLE, WA 98119

**Inquiries:**

Rate: Traffic Dept - traffic@coastaltransportation.com  
Payment: Acctg Dept - billing@coastaltransportation.com

**Electronic Remittance:**

Routing (ABA): 125000024  
Account No.: 000001095314

Please email remittance to: accounting@coastaltransportation.com

**Invoice Summary:**

Coastal Standard 10 | Departure: 2/17/2017 .. Arrival:

Booking/ B/L No.	Equipment No.	Seal No.	Cust. PO No.	Total Gross WT.	Total Charges
IN018162				0 LBS	868.00

**Invoice Detail:**

<u>Loading</u>	<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>
SEATTLE - COASTAL		IN018162		
<u>Consignee:</u>	EAST WEST SEAFOODS LLC	<u>Shipper:</u>		

  

QTY	Description	Weight	Rate	Quantity	TLI	Amount
	TRUCKING OF BAIT TO COASTAL TRANSPORTATION		434.00 /E			868.00
			<b>BL Total</b>			<b>\$868.00</b>

<b>Comments:</b>	<b>Subtotal:</b>	<b>\$868.00</b>
	<b>Sales Tax:</b>	<b>0.00</b>
	<b>Total Due:</b>	<b>\$868.00</b>

Thank you for shipping with Coastal. We appreciate your business.

Please remit payment to:  
Coastal Transportation, Inc.  
4025 13th Avenue West  
Seattle, WA 98119

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Invoice No. IN018437  
 Invoice Date: 4/19/2017  
 Coastal Progress 116 I

**Total Due: 300.00<sup>USD</sup>**  
 Due On Receipt

**Bill To:**

C4082  
 EAST WEST SEAFOODS LLC  
 CHRIS TSABOURIS  
 1900 W NICKERSON  
 STE 16-175  
 SEATTLE, WA 98119

**Inquiries:**

Rate: Traffic Dept - traffic@coastaltransportation.com  
 Payment: Acctg Dept - billing@coastaltransportation.com

**Electronic Remittance:**

Routing (ABA): 125000024  
 Account No.: 000001095314  
 Please email remittance to: accounting@coastaltransportation.com

**Invoice Summary:**

Coastal Progress 116 I | Departure: 4/7/2017 .. Arrival:

Booking/ B/L No.	Equipment No.	Seal No.	Cust. PO No.	Total Gross WT.	Total Charges
BK004544				0 LBS	300.00

**Invoice Detail:**

<u>Loading</u>	<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>
DUTCH HARBOR - COASTAL	ADAK - ADAK-VESSEL	BK004544		
<u>Consignee:</u> TO ORDER OF SHIPPER	<u>Shipper:</u> EAST WEST SEAFOODS LLC			
QTY	Description	Weight	Rate	Amount
12	STRETCH WRAP PER ROLL		A107-30-0001 25.00 /E	300.00
<b>BL Total</b>				<b>\$300.00</b>

**Comments:**

**Subtotal: \$300.00**  
**Sales Tax: 0.00**  
**Total Due: \$300.00**

Thank you for shipping with Coastal. We appreciate your business.

Please remit payment to:  
 Coastal Transportation, Inc.  
 4025 13th Avenue West  
 Seattle, WA 98119

Please note: Subject to the terms and condition set forth on  
 Bill of Lading, Tariff, and/or Mate Receipt, as applicable.  
 Past due accounts will be charged 1.5% finance charge per  
 tariff and may result in account suspension.



Invoice No. IN018438  
 Invoice Date: 4/28/2017  
 Coastal Progress 116 I

**Total Due: 31,880.22<sup>USD</sup>**  
 Due On Receipt

**Bill To:**

C4082  
 EAST WEST SEAFOODS LLC  
 CHRIS TSABOURIS  
 1900 W NICKERSON  
 STE 16-175  
 SEATTLE, WA 98119

**Inquiries:**

Rate: Traffic Dept - traffic@coastaltransportation.com  
 Payment: Acctg Dept - billing@coastaltransportation.com

**Electronic Remittance:**

Routing (ABA): 125000024  
 Account No.: 000001095314  
 Please email remittance to: accounting@coastaltransportation.com

**Invoice Summary:**

Coastal Progress 116 I | Departure: 4/7/2017 .. Arrival:

Booking/ B/L No.	Equipment No.	Seal No.	Cust. PO No.	Total Gross WT.	Total Charges
BK004378			MR# 110365	163,611 LBS	30,000.00
BK004406			CP000006	49 LBS	40.41
BK004409			MR# 116133	4,300 LBS	1,819.81

**Invoice Detail:**

<u>Loading</u>	<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>
DUTCH HARBOR - COASTAL	ADAK - ADAK-VESSEL	BK004378		MR# 110365
<u>Consignee:</u> P/V PACIFIC PRODUCER		<u>Shipper:</u>	HARBOR COLD STORAGE	

QTY	Description	Weight	Rate	Quantity	TLI	Rate	Amount
6,803	CASE(S) FROZEN BAIT	163,611	163,611.00	LBS	1545-15-0009	18.34 /W	30,000.00
BL Total							\$30,000.00

<u>Loading</u>		<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>
DUTCH HARBOR - COASTAL		ADAK - ADAK-VESSEL	BK004406		CP000006
<u>Consignee:</u> F/V DELIVERANCE		<u>Shipper:</u> EAST WEST SEAFOODS			

QTY	Description	Weight	Rate	Quantity	TLI	Rate	Amount
1	BOX(ES) GROCERIES CHILL	26	26.00	LBS	0000-20-0009	61.07 /W	15.88
1	BOX(ES) GROCERIES FROZEN	23	23.00	LBS	0000-20-0009	61.07 /W	14.05
	FUEL SURCHARGE				FSC	20.00 %	5.99
	WHARFAGE: DUTC-CTI				WH		4.49
BL Total							\$40.41

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**Invoice No.** IN018438  
**Invoice Date:** 4/28/2017  
 Coastal Progress 116 I

<b>Loading</b>	<b>Discharge</b>	<b>Booking B/L No.</b>	<b>Receipt No.</b>	<b>Cust PO No.</b>
DUTCH HARBOR - COASTAL	ADAK - ADAK-VESSEL	BK004409		MR# 116133
<b>Consignee:</b> F/V PACIFIC PRODUCER		<b>Shipper:</b> EAST-WEST SEAFOODS		

QTY	Description	Weight	Rate	Quantity	TLI	Rate	Amount
2	PALLET(S) BOTTLED WATER	4,300	4,300.00	LBS	1130-00-0009	31.35 /W	1,348.01
	FUEL SURCHARGE				FSC	20.00 %	269.60
	WHARFAGE: DUTC-CTI				WH		202.20
						<b>BL Total</b>	<b>\$1,819.81</b>

**Comments:**

PORT SECURITY FEE 20.00  
**Subtotal: \$31,880.22**  
 Sales Tax: 0.00  
**Total Due: \$31,880.22**

Thank you for shipping with Coastal. We appreciate your business.

Please remit payment to:  
 Coastal Transportation, Inc.  
 4025 13th Avenue West  
 Seattle, WA 98119

Please note: Subject to the terms and condition set forth on  
 Bill of Lading, Tariff, and/or Mate Receipt, as applicable.  
 Past due accounts will be charged 1.5% finance charge per  
 tariff and may result in account suspension.



Invoice No. IN018721  
 Invoice Date: 5/17/2017  
 Coastal Nomad 116 I

**Total Due: 760.02<sup>USD</sup>**  
 Due On Receipt

**Bill To:**

C4082  
 EAST WEST SEAFOODS LLC  
 CHRIS TSABOURIS  
 1900 W NICKERSON  
 STE 16-175  
 SEATTLE, WA 98119

**Inquiries:**

Rate: Traffic Dept - traffic@coastaltransportation.com  
 Payment: Acctg Dept - billing@coastaltransportation.com

**Electronic Remittance:**

Routing (ABA): 125000024  
 Account No.: 000001095314

Please email remittance to: accounting@coastaltransportation.com

**Invoice Summary:**

Coastal Nomad 116 I | Departure: 4/21/2017 .. Arrival: 5/17/2017

Booking/ B/L No.	Equipment No.	Seal No.	Cust. PO No.	Total Gross WT.	Total Charges
BK005117			MR# 000104	112 LBS	107.40
BK005118			MR# 000103	89 LBS	346.22
BK005119			MR# 000096	500 LBS	211.61
BK005120			MR# 000105	60 LBS	74.79

**Invoice Detail:**

<u>Loading</u>		<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>		
DUTCH HARBOR - COASTAL		ADAK - ADAK-VESSEL	BK005117		MR# 000104		
<u>Consignee:</u> F/V DELIVERANCE			<u>Shipper:</u> F/V DELIVERANCE				
QTY	Description	Weight	Rate	Quantity	TLI	Rate	Amount
3	CASE(S) SUPER CLEAN/OIL	112	112.00 LBS	1130-00-0009		31.35 /W	35.11
1	PACSTEVE RECEIVING FEE			A999-20-0009		60.00 /E	60.00
	FUEL SURCHARGE			FSC		20.00 %	7.02
	WHARFAGE: DUTC-CTI			WH			5.27
						BL Total	\$107.40

<u>Loading</u>		<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>	
DUTCH HARBOR - COASTAL		ADAK - ADAK-VESSEL	BK005118		MR# 000103	
<u>Consignee:</u> P/V PACIFIC PRODUCER		<u>Shipper:</u> P/V PACIFIC PRODUCER				
QTY	Description	Weight	Rate Quantity	TLI	Rate	Amount
6	CASE(S) ABSORBANTS PADS/RAGS/BOOMS	89	22.22 Cuft	2300-00-0009	9.54 /M	212.02
1	PACSTEVE RECEIVING FEE			A999-20-0009	60.00 /E	60.00
	FUEL SURCHARGE			FSC	20.00 %	42.40
	WHARFAGE: DUTC-CTI			WH		31.80
BL Total						\$346.22

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Invoice No. IN018721  
 Invoice Date: 5/17/2017  
 Coastal Nomad 116 I

<u>Loading</u>	<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>
DUTCH HARBOR - COASTAL	ADAK - ADAK-VESSEL	BK005119		MR# 000096
<u>Consignee:</u> P/V PACIFIC PRODUCER	<u>Shipper:</u> P/V PACIFIC PRODUCER			

QTY	Description	Weight	Rate	Quantity	TLI	Rate	Amount
1	PALLET(S) GROCERIES DRY	500	500.00	LBS	1130-00-0009	31.35 /W	156.75
	FUEL SURCHARGE				FSC	20.00 %	31.35
	WHARFAGE: DUTC-CTI				WH		23.51
<b>BL Total</b>							<b>\$211.61</b>

<u>Loading</u>	<u>Discharge</u>	<u>Booking B/L No.</u>	<u>Receipt No.</u>	<u>Cust PO No.</u>
DUTCH HARBOR - COASTAL	ADAK - ADAK-VESSEL	BK005120		MR# 000105
<u>Consignee:</u> F/V INSATIABLE	<u>Shipper:</u> F/V INSATIABLE			

QTY	Description	Weight	Rate	Quantity	TLI	Rate	Amount
2	EACH PAIL OIL	60	60.00	LBS	2345-00-0009	18.27 /W	10.86
1	PACSTEVE RECEIVING FEE				A999-20-0009	60.00 /E	60.00
	FUEL SURCHARGE				FSC	20.00 %	2.19
	WHARFAGE: DUTC-CTI				WH		1.64
<b>BL Total</b>							<b>\$74.79</b>

<b>Comments:</b>	PORT SECURITY FEE	20.00
	<b>Subtotal:</b>	<b>\$760.02</b>
	Sales Tax:	0.00
	<b>Total Due:</b>	<b>\$760.02</b>

Thank you for shipping with Coastal. We appreciate your business.

Please remit payment to:  
 Coastal Transportation, Inc.  
 4025 13th Avenue West  
 Seattle, WA 98119

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Invoice No. IN018843  
 Invoice Date: 5/19/2017  
 Coastal Progress 117 N

**Total Due: 1,203.67<sup>USD</sup>**  
 Due On Receipt

**Bill To:**

C4082  
 EAST WEST SEAFOODS LLC  
 CHRIS TSABOURIS  
 1900 W NICKERSON  
 STE 16-175  
 SEATTLE, WA 98119

**Inquiries:**

Rate: Traffic Dept - traffic@coastaltransportation.com  
 Payment: Acctg Dept - billing@coastaltransportation.com

**Electronic Remittance:**

Routing (ABA): 125000024  
 Account No.: 000001095314  
 Please email remittance to: accounting@coastaltransportation.com

**Invoice Summary:**

Coastal Progress 117 N | Departure: 5/5/2017 .. Arrival:

Booking/ B/L No.	Equipment No.	Seal No.	Cust. PO No.	Total Gross WT.	Total Charges
BK005009				2,325 LBS	1,183.67

**Invoice Detail:**

Loading	Discharge	Booking B/L No.	Receipt No.	Cust PO No.
SEATTLE - COASTAL	DUTCH HARBOR - COASTAL	BK005009		
<b>Consignee:</b> P/V PACIFIC PRODUCER	<b>Shipper:</b> P/V PACIFIC PRODUCER			

QTY	Description	Weight	Rate	Quantity	TLI	Rate	Amount
2	PALLET(S) GROCERIES FROZEN	2,325	2,325.00 LBS	0000-20-0001		36.66 /W	852.35
	Pallet			A105-00-0001			25.00
	Stretch Wrap						8.00
	FUEL SURCHARGE			FSC		20.00 %	170.47
	WHARFAGE: DUTC-CTI			WH			127.85
						<b>BL Total</b>	<b>\$1,183.67</b>

**Comments:**

PORT SECURITY FEE 20.00  
**Subtotal: \$1,203.67**  
 Sales Tax: 0.00  
**Total Due: \$1,203.67**

Thank you for shipping with Coastal. We appreciate your business.

Please remit payment to:  
 Coastal Transportation, Inc.  
 4025 13th Avenue West  
 Seattle, WA 98119

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